

SECOND REGULAR SESSION

HOUSE BILL NO. 1626

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HOUGH (Sponsor), REDMON, HOSKINS, RHOADS,
KELLEY (127), SOLON, KELLY (45) AND FRAKER (Co-sponsors).

5654H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 304.050, RSMo, and to enact in lieu thereof one new section relating to school bus safety, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 304.050, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 304.050, to read as follows:

304.050. 1. The driver of a vehicle upon a highway upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children and whose driver has in the manner prescribed by law given the signal to stop, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion, or until signaled by its driver to proceed. **A public school district may purchase, install, operate, and maintain cameras or video recording equipment on the exterior of school buses, or may enter into a contract with a private vendor to purchase, install, operate, or maintain cameras or video equipment on the exterior of school buses on behalf of the public school district for the purpose of recording images of motor vehicles that are in violation of this subsection.**

2. Every bus used for the transportation of school children shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than eight inches in height. Each bus shall have lettered on the rear in plain and distinct type the following: "State Law: Stop while bus is loading and unloading". Each school bus subject to the provisions of sections 304.050 to 304.070 shall be equipped with a mechanical and electrical signaling

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 device approved by the state board of education, which will display a signal plainly visible from
17 the front and rear and indicating intention to stop.

18 3. Every school bus operated to transport students in the public school system which has
19 a gross vehicle weight rating of more than ten thousand pounds, which has the engine mounted
20 entirely in front of the windshield and the entrance door behind the front wheels, and which is
21 used for the transportation of school children shall be equipped no later than August 1, 1998,
22 with a crossing control arm. The crossing control arm, when activated, shall extend a minimum
23 of five feet six inches from the face of the front bumper. The crossing control arm shall be
24 attached on the right side of the front bumper and shall be activated by the same controls which
25 activate the mechanical and electrical signaling devices described in subsection 2 of this section.
26 This subsection may be cited as "Jessica's Law" in commemoration of Jessica Leicht and all
27 other Missouri schoolchildren who have been injured or killed during the operation of a school
28 bus.

29 4. Except as otherwise provided in this section, the driver of a school bus in the process
30 of loading or unloading students upon a street or highway shall activate the mechanical and
31 electrical signaling devices, in the manner prescribed by the state board of education, to
32 communicate to drivers of other vehicles that students are loading or unloading. A public school
33 district shall have the authority pursuant to this section to adopt a policy which provides that the
34 driver of a school bus in the process of loading or unloading students upon a divided highway
35 of four or more lanes may pull off of the main roadway and load or unload students without
36 activating the mechanical and electrical signaling devices in a manner which gives the signal for
37 other drivers to stop and may use the amber signaling devices to alert motorists that the school
38 bus is slowing to a stop; provided that the passengers are not required to cross any traffic lanes
39 and also provided that the emergency flashing signal lights are activated in a manner which
40 indicates that drivers should proceed with caution, and in such case, the driver of a vehicle may
41 proceed past the school bus with due caution. No driver of a school bus shall take on or
42 discharge passengers at any location upon a highway consisting of four or more lanes of traffic,
43 whether or not divided by a median or barrier, in such manner as to require the passengers to
44 cross more than two lanes of traffic; nor shall any passengers be taken on or discharged while
45 the vehicle is upon the road or highway proper unless the vehicle so stopped is plainly visible
46 for at least five hundred feet in each direction to drivers of other vehicles in the case of a
47 highway with no shoulder and a speed limit greater than sixty miles per hour and at least three
48 hundred feet in each direction to drivers of other vehicles upon other highways, and on all
49 highways, only for such time as is actually necessary to take on and discharge passengers.

50 5. The driver of a vehicle upon a highway with separate roadways need not stop upon
51 meeting or overtaking a school bus which is on a different roadway, or which is proceeding in

52 the opposite direction on a highway containing four or more lanes of traffic, or which is stopped
53 in a loading zone constituting a part of, or adjacent to, a limited or controlled access highway at
54 a point where pedestrians are not permitted to cross the roadway.

55 6. The driver of any school bus driving upon the highways of this state after loading or
56 unloading school children, shall remain stopped if the bus is followed by three or more vehicles,
57 until such vehicles have been permitted to pass the school bus, if the conditions prevailing make
58 it safe to do so.

59 7. If any vehicle is witnessed by a peace officer or the driver of a school bus **or as**
60 **determined by a peace officer through the use of recorded images by a camera or video**
61 **recording device mounted on a school bus with a clear view of vehicles passing the bus on**
62 **either side, showing the date and time the recording was made, and an electronic symbol**
63 **showing the activation of amber lights, flashing red lights, stop arms, and brakes,** to have
64 violated the provisions of this section and the identity of the operator is not otherwise apparent,
65 it shall be a rebuttable presumption that the person in whose name such vehicle is registered
66 committed the violation. In the event that charges are filed against multiple owners of a motor
67 vehicle, only one of the owners may be convicted and court costs may be assessed against only
68 one of the owners. If the vehicle which is involved in the violation is registered in the name of
69 a rental or leasing company and the vehicle is rented or leased to another person at the time of
70 the violation, the rental or leasing company may rebut the presumption by providing the peace
71 officer or prosecuting authority with a copy of the rental or lease agreement in effect at the time
72 of the violation. No prosecuting authority may bring any legal proceedings against a rental or
73 leasing company under this section unless prior written notice of the violation has been given to
74 that rental or leasing company by registered mail at the address appearing on the registration and
75 the rental or leasing company has failed to provide the rental or lease agreement copy within
76 fifteen days of receipt of such notice. **The provisions of section 304.070 notwithstanding, any**
77 **person charged with a violation of subsection 1 of this subsection where such violation was**
78 **based solely upon evidence obtained from a camera or video recording equipment, may**
79 **elect not to contest the charge and may, in lieu of appearance in court or other**
80 **administrative penalty, submit the fine to the address provided on the notice of violation**
81 **or citation if such is the person's first such violation and the violation did not result in an**
82 **accident or injury of a child. The proceeds from any fine imposed for a violation of**
83 **subsection 1 of this section that is based solely upon evidence obtained from a camera or**
84 **video recording equipment shall be remitted to the public school district and a portion of**
85 **such proceeds may be allocated by an agreement between the public school district and any**
86 **law enforcement agency or operator of said cameras or video recording equipment that**

87 **assists with the issuance and administration of citations or the operation of such cameras**
88 **or video recording equipment.**

89 8. Notwithstanding the provisions in section 301.130, every school bus shall be required
90 to have two license plates.

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